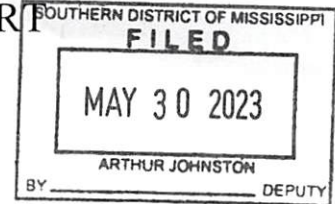


Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

Southern District of MSNorthern DivisionTaneshia Quinn

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Hankin County

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

3:23-cv-343-HTW-LGI

(to be filled in by the Clerk's Office)

Jury Trial: (check one)

☐

Yes

☐

No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

Tanoshic Quinn
 214 Applebridge rd.
 Brandon MS 39042
 Rankin
 601-253-4181
 tanoshicquinn14@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Eric Mallory
 Detective
 1146 Spanish Oak Dr.
 Pearl MS 39208
 Rankin
 601-829-3095

☐ Individual capacity ☐ Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

James Landis Prince
 Patrol Officer
 657 Poplar Spring rd.
 Florence MS 39013
 Rankin

☐ Individual capacity ☐ Official capacity

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Defendant No. 3

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

David Marrow Jr.

Judge

200 E. Government St.

Brandon

ms

39042

City

State

Zip Code

Rankin

601-591-2714

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Mary Jane Lemon

Prosecutor

215 E Government St

Brandon

ms

39042

City

State

Zip Code

Rankin

601-825-1172

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☐

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

yes

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

See attachment

- D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See attachment

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

Brandon, ms

- B. What date and approximate time did the events giving rise to your claim(s) occur?

July 28, 2022 @ 3:30pm

- C. What are the facts underlying your claim(s)? (For example: *What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)

See attachment

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

See Attachment

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

punitive damage see attachment

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 5-30-23

Signature of Plaintiff

Printed Name of Plaintiff

Tenesha Quinn
Tenesha Quinn

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

214 Applebridge rd

Brandon

City

ms

State

39012

Zip Code

Telephone Number

601-253-4181

E-mail Address

neshaquinn14@gmail.com

On July 28,2022 was the result of a tragic accident at "303 Silverleaf Cove Brandon,Ms 39047."

My son N.S. (minor 13) at the time and H.S. (minor16) were sitting on the bed playing with a firearm, when the firearm accidentally fired. H.S. was grazed in the top of her head, and N.S, proceeded to call 911 for help. Upon the arrival of the officer that first responded per his report 3 young teens were standing outside in the front lawn as he approached, 1 teen holding a towel to the top of her head. James Landis Prince (officer) advised H.S. to sit in the chair. After trying to ask her questions she refused to answer, the officer proceeded to go into my home before obtaining a search warrant to enter,(per his report). Shortly after RFD,EMT,other officers, and the news team arrived. After speaking with Investigator John Burt I was advised that according to all of the evidence it appears both N.S and H.S. statements were efficient to the evidence and he determined it was an accident. I was then advised that my two minor children will be taken to the station to give statements and I had to be there or an attorney while they were questioned.

When making it to the station I informed Dt.Mallory that both of my children have an attorney, that either me or the attorney needs to be present before being questioned. After sitting in the lobby for hours while they questioned N.S. without his attorney or parent, I was advised he was being transported to JDC. Judge Broome had to make a decision if he would charge him as an adult or not in the case. My son had been questioned already before the decision was made, also considering my son was only 13 at the time and had not even started the 6th grade, the detective had my son sign away his rights not knowing what any of the paperwork means," He can hardly write his own name." Dt.Mallory then proceeded to inform me that N.S. and I.J. statements were different and he was working to charge him as an adult for aggravated assault and possession of a stolen firearm. I then asked the detective "How is that possible when the investigator John Burt had just stated it was an accident looking at the evidence?" Dt. Mallory then stated that he was sent to JDC where it will be determined if he would be charged as an adult or not. Dt. Mallory had already questioned the MINOR before sending him to the JDC. I

later called in to the station for the contact of internal affairs, when the Chief at the Rankin County Sheriff's department stated " I can only speak with him and if I had anything for internal affairs it will be him to tell", I then asked can I come file my complaint in writing and I was denied the right to file that complaint by the Chief Deputy. Later I was advised by the Dt. to have my minor son who doesn't read nor write effectively to sign away his rights not having any idea of what he is signing at the age of 13 only completing the 5th grade. Once I returned to my home to get renovations completed, I had an eviction notice signed by the same judge that handled my son's case. The same judge that ordered my son house arrest before being proven guilty. Later he was denied schooling due to Dt.Mallory sending the Rankin County School District and Hinds County School District N.S. juvenile record that is supposed to be sealed. My child was told by the school board that they did not belong in their schools and it also caused issues for the other children in the school district as well. My family was tarnished and torn by the racial profiling from the Police Department, school system, and community. The sheriff's office named my son to be an Habitual offender when he had no priors and that alone made others look at him as a monster, when he has no prior criminal history. After all of that Judge Morrow signed an eviction notice without giving me the time to get an attorney, nor plead my case. I was not given the right to a fair argument. I was evicted and forced out of my home after being there for 3 years. Next thing I was getting a notification for my son to return to court for him to be violated and sent to the Rankin County Jail. The trial approached and my son was placed with a public

defender 1 week before we had to come into court. Mrs.Bennitt called me 3 days before court to inform me of a plea deal from the D.A. and with the rudest attitude she stated "This is the best deal he would get," Mrs.Bennitt knew nothing about the case.I also advised her that not only my son was arrested for the possession of the stolen gun but 4 others were as well.The other boys did not get any punishment (because they were white).My son was denied schooling and also his juvenile records were given to every school district and he was not allowed to attend any school. We then went to court and asked for another attorney, however was denied that right as well. The judge told N.S. to listen to her and do whatever she tells him to do. The prosecutor, judge, and Mrs.Bennitt led us to believe that he was being charged with aggravated assault, when the charge had been dropped, and the victim did not want to press any charges.We asked for a new attorney and was denied that right, I emailed Mrs.Lemon and also asked her for a new attorney and got no reply. We had no other choice but to take a best interest plea deal when we were denied so many times and it was clearly our right to get another attorney if one was not in our favor. When we decided it was in his best interest to accept the plea deal the deal was then taken away and we were informed that the aggravated assault charge was dropped. Mary Lemon was also overheard saying she knew it was an accident but she had to pursue the charges.With the evidence of another teen shooting and killing his friend in Morton,Ms being ruled as an accident. I then sent an email to Mary asking for another attorney when Mrs.Bennitt continued to not fight for him or his best interest and no response was received. After comparing the situation to others I found that on April 2,2023 another teen shot and killed an individual in Morton,MS. Upon research the male was a white teen that fired a pistol, shot, and killed his friend. His case is suspected as a tragic accident, "by Sheriff Mike Lee". My son's case a young black male circled the internet,school boards,schools, and community. My family has experienced punitive damages. Rights were violated and the acts of the Rankin County Judicial system were very much unlawful. For the punitive damages my family has faced I am requesting the amount of \$200,000. The tarnish and violations have been properly documented.